

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Van Cleve

Application No.: 10/552,528

Group No.: 2855

Filed: 10/11/2005

Examiner: Patel, Harshard R.

For: METHOD AND APPARATUS FOR FORCE BALANCING OF A CORIOLIS  
FLOW METER

**TELEPHONE INTERVIEW SUMMARY**

*Applicant submits this telephone interview summary to meet the requirements of 37 C.F.R. § 1.133(b), and according to the requirements listed in MPEP § 713.04.*

Date/Type of Interview:

Telephone interview conducted on May 21, 2007 and initiated by applicant's agent David Wilbert.

Name of Applicant's agent: David Wilbert

Exhibits shown or demonstrations conducted: none

Claims discussed: 1, 3, 10, and 12

Prior art discussed: Ogawa, U.S. Patent No. 5,398,554

General thrust of Examiner's arguments:

Examiner Patel stated that the application would be allowed if the claims were amended as proposed (see proposed amendment below). Specifically, Examiner Patel proposed that the features of dependent claims 3 and 12 be incorporated into independent claims 1 and 10 respectively. Examiner's basis for this proposed amendment is that the independent claims only require that the balance system is sized and located such that the momentum of the balance system is equal and opposite to the momentum of the drive system. Examiner Patel stated that the only cited reference, (Ogawa), could be located in such an arrangement. Thus, the amendment proposed by Examiner was proposed not to overcome Ogawa, but for improved clarity.

General thrust of Applicant's arguments:

Agent Wilbert stated that Ogawa does not discuss an arrangement such as provided in the independent claims, and furthermore, that Ogawa is not concerned with balancing the momentum, but rather Ogawa is concerned with balancing frequency.

Ogawa does not disclose a balance system that is sized and located such that the momentum of the balance system is equal and opposite to the momentum of the drive system. Agent Wilbert believes that he successfully distinguished the claimed invention from Ogawa and that the proposed amendment by Examiner Patel was more for clarity than to overcome the cited reference.

Agreement reached and general nature of the agreement:

While Examiner Patel stated that the application would be allowed with the amendment, agent Wilbert did not agree to the proposed amendment, but stated that he needed to discuss the proposed amendment with the applicant. The Applicant has elected to **decline** the proposed amendment, believing that the claims are allowable as provided. Examiner Patel's rejected proposed amendment is provided below.

Proposed amendments:

1. (Proposed Amendment) A Coriolis flow meter comprising:
  - at least one flow conduit;
  - a drive system coupled to the at least one flow conduit;
  - a balance system coupled to the at least one flow conduit; wherein the balance system is sized and located such that the momentum of the balance system is equal and opposite to the momentum of the drive system; **and wherein the balance system is sized and located such that the combined center of mass of the drive system and the balance system lies proximate a plane of the centerline of the at least one flow conduit.**
3. (Cancel)
10. (Proposed Amendment) A method for force balancing a Coriolis flow meter having at least one flow conduit, the method comprising the steps of:
  - coupling a drive system to the at least one flow conduit;
  - coupling a balance system to the at least one flow conduit; [and]
  - locating and sizing the balance system such that the momentum of the balance system is equal and opposite to the momentum of the drive system; **and locating and sizing the balance system such that the combined center of mass of the drive system and the balance system lies proximate a plane of the centerline of the at least one flow conduit.**
12. (Cancel)

Date: 6-6-07



David W. Wilbert, Reg. No. 57576  
The Ollila Law Group LLC  
Telephone: (303) 938-9999 ext. 15  
Facsimile: (303) 938-9995

CORRESPONDENCE ADDRESS:

CUSTOMER NO. 32827